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July 17, 2018

Via ECF

Hon. Michael A. Hammer, USMJ
Martin Luther King Building
& U.S. Courthouse
50 Walnut Street
Newark, NJ 07101

Re: Cioffi v. Borough of Englewood Cliffs, et al.
Civil Action No. 2:16-cv-4536-WJM-MF

Dear Judge Hammer:

This firm represents Defendant Mario Kranjac in the above-referenced matter. Mr. Kranjac is the Mayor of Englewood Cliffs. We write to request relief from the Confidentiality Order so that Mayor Kranjac may present one of Plaintiff's audio recordings to appropriate law enforcement authorities.¹

The specific audio recording, contained in electronic file entitled "DM620061", reveals discussions between Chief Cioffi and other police officers wherein Chief Cioffi directs that time records for certain training, which had occurred years earlier, be created after-the-fact in order respond to an inquiry from the Borough Attorney for such records. That training, known as Emergency Response Team ("ERT") training, may have been funded, at least in part, with federal funds.

We understand that the Bergen County Prosecutor's office reviewed part of this matter approximately two years ago. At the time, however, Chief Cioffi had not yet produced any of his audio recordings, including DM620061. Therefore, it appears the Bergen County Prosecutor's office did not have this potentially critical evidence at the time of their investigation. Furthermore, there was no referral the United States Attorney's office, despite the possibility of federal funding for ERT training.

¹ As set forth in prior submissions to Your Honor, Plaintiff has designated all of his recordings as "Attorneys Eyes Only" under the Confidentiality Order (although he has agreed to allow parties to listen to the recordings at the offices of their respective attorneys).

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Mayor Kranjac has an obligation to the residents of Englewood Cliffs to bring matters such as this to the attention of appropriate law enforcement authorities. Accordingly, Mayor Kranjac respectfully requests leave from any and all restrictions in the Confidentiality Order in order to present DM620061 to the Bergen County Prosecutor and the United States Attorney for the District of New Jersey.

We thank the Court for its consideration.

Respectfully,

Joseph Tripodi

Joseph Tripodi

cc: All Counsel (via ECF)